IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT CHANDIGARH

RSA.No.2739 of 2006

DATE OF ORDER: 18.1.2007

N.D. Sharma

...Petitioner(s)

Versus

U.H.B.V.N and Another

....Respondent(s)

CORUM : HON'BLE MR. JUSTICE M.M. AGGARWAL

.*.*.*.

Present: Mr. J.K. Goel, Advocate.

M.M. AGGARWAL,J

This is Regular Second Appeal against judgment dated 27.2.2006 passed by Additional District Judge, Karnal whereby an appeal filed by the plaintiff, now appellant against judgment of the trial Court was dismissed.

Plaintiff is stated to be an employee of the respondents.

According to the appellant, he was entitled to promotion but the promotion was denied because of pendency of some disciplinary proceedings.

When plaintiff filed suit, that was dismissed. Appeal had also been dismissed.

Counsel for the appellant argues that pendency of the department proceedings was no good ground to withhold promotion. It is argued that some other employees, against whom disciplinary proceedings were pending, have been given promotions. It is also argued that there had been violation of instructions.

There are concurrent findings of two courts below. No law point is involved in this case. This appeal is disposed of with the direction that respondents shall consider the plaintiff for promotion from the back date when his juniors were considered, if he is exonerated in the inquiry.

January 18, 2007 (M.M. AGGARWAL)
manoj JUDGE